

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

|                                      |   |                                   |
|--------------------------------------|---|-----------------------------------|
| <b>STEWART TITLE</b>                 | : | CIVIL ACTION                      |
| <b>GUARANTY COMPANY</b>              | : |                                   |
| Plaintiff                            | : |                                   |
| v.                                   | : |                                   |
|                                      | : |                                   |
| <b>LAW OFFICES of</b>                | : |                                   |
| <b>DAVID FLEISCHMANN, P.C. et al</b> | : | No. <b>3:21-CV-16713 (GC/TJB)</b> |
| Defendants                           | : |                                   |

**CONSENT ORDER DISMISSING COUNT IV of the AMENDED  
COMPLAINT and CORRECTING PARAGRAPH 51 THEREOF**

The parties hereto, by the signatures of their respective authorized counsel below, hereby ask that the Court enter an Order (a) dismissing Count IV of the Amended Complaint, entitled “CONVERSION in the alternative AGAINST LAW FIRM and FLEISCHMANN”, without prejudice, and (b) correcting Paragraph 51 of the Amended Complaint by adding an inadvertently-omitted word, as follows:

EXISTING: “51. Because the mortgages securing the Nexus Loans were not liens against the respective Premises (for the reasons set forth above) STGC, pursuant to the terms of its Title Policies, tendered policy limits to PS Funding and took assignment of PS Funding’s interests. This occurred in the fall of 2020.”

AMENDED: “51. Because the mortgages securing the Nexus Loans were not **FIRST** liens against the respective Premises (for the reasons set forth above) STGC, pursuant to the terms of its Title Policies, tendered policy limits to PS Funding and took assignment of PS Funding’s interests. This occurred in the fall of 2020.”

We each agree to the form and entry of the Order set forth below.

{SIGNATURE LINES APPEAR ON NEXT PAGE}

**KAPLIN STEWART MELOFF REITER & STEIN, P.C.**

By: /S/ William J. Levant, Esquire 5/25/2022  
William J. Levant, Esquire (date)  
Counsel for Stewart Title Guaranty Company


**WILSON ELSER MOSKOWITZ EDELMAN & DICKER, LLP**

By: /S/  
Joseph L. Francoeur, Esquire (date)  
Maxx M. Johnson, Esquire  
Counsel for Fleischmann Defendants

**MARSHALL DENNEHY**

By: /S/  
Howard B. Mankoff, Esquire (date)  
Counsel for World Wide Land Transfer, LLC,  
f/k/a World Wide Land Transfer, Inc.

**LAW OFFICES of KEVIN T. CONWAY**

By:  5/25/22  
Kevin T. Conway, Esquire (date)  
Counsel for Andrew Selevan, Esquire

**ORDER**

**AND NOW**, this \_\_\_\_\_ day of May, 2022, upon the consent of the parties,  
Count IV of the Amended Complaint is **DISMISSED WITHOUT PREJUDICE**,  
and Paragraph 51 of the Amended Complaint is **AMENDED** as set forth above.  
Any party which previously answered the Amended Complaint need not do so  
again by reason of this Order.

BY THE COURT:

\_\_\_\_\_  
Tonianne J. Bongiovanni, U. S. M. J.

From: Francoeur, Joseph <Joseph.Francoeur@wilsonelser.com>  
Sent: Friday, May 20, 2022 2:42 PM  
To: Mankoff, Howard B.  
Cc: William J. Levant; Johnson, Maxx M.; Kevin Conway  
Subject: Re: STGC v. Fleischmann, et al -- USDC, NJ - No. 21-CV-16713 [KS-IMAN\_BB.FID950646]

Bill, you can sign for me as well.

Regards,

Joe

Sent from my iPad

From: Mankoff, Howard B. <HBMankoff@MDWCG.com>  
Sent: Friday, May 20, 2022 9:32 AM  
To: William J. Levant; Francoeur, Joseph; Johnson, Maxx M.  
Cc: Kevin Conway  
Subject: RE: STGC v. Fleischmann, et al -- USDC, NJ - No. 21-CV-16713 [KS-IMAN\_BB.FID950646]

Bill,

You have my permission to affix my electronic signature.

Howard B. Mankoff  
Attorney at Law  
425 Eagle Rock Ave., Suite 302, Roseland, NJ 07068  
Direct: (973) 618-4118 | Main: (973) 618-4100 | Fax: (973) 618-0685  
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